Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Message Text

CONFIDENTIAL

PAGE 01 FREETO 01538 121559Z
ACTION AF-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-10
L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15 ICA-11
HA-05 IO-13 AID-05 PC-01 /088 W
----------083908 121643Z /43
P R 121455Z MAY 78
FM AMEMBASSY FREETOWN
TO SECSTATE WASHDC PRIORITY 7677
INFO AMEMBASSY CONAKRY
AMEMBASSY MONROVIA

C O N F I D E N T I A L FREETOWN 1538

EO 11652: GDS
TAGS: PINT, SL
SUBJ: ONE PARTY STATE: NEW CONSTITUTION TO BE INTRODUCED

REF: FREETOWN 1499

SUMMARY. BRITISH AND LOCAL SOURCES REPORT GOSL PLANS INTRO-
DUCE NEW CONSTITUTION PROVIDING FOR ONE PARTY STATE PROBABLY

NEXT WEEK. ADOPTION OF CONSTITUTION SAID TO BE BASED UPON USE
OF DISPUTED SECTION IN PRESENT CONSTITUTION WHICH PERMITS
INTRODUCTION OF A NEW ONE BY USE OF REFERENDUM. OPPOSITION
LEADER AMONG THOSE DISPUTING THIS APPROACH FOR CHANGING CON-
STITUTION, BUT CONCEDES POLITICAL REALITIES MAY PREVAIL OVER
WHAT HE FEELS ARE CLEAR LEGAL REQUIREMENTS IMPOSED BY PRESENT
CONSTITUTION. END SUMMARY.

1. BRITISH HIGH COMMISSIONER INFORMED ME MAY 10 THAT DURING
MEETING OF DAVID WILLIAMS AND KENNETH MACKENZIE, PAST AND
PRESENT EDITORS OF WEST AFRICA, WITH PRESIDENT STEVENS ON MAY
9, STEVENS TOLD THEM THAT NEW CONSTITUTION INCORPORATING A
ONE PARTY STATE WOULD BE INTRODUCED IN PARLIAMENT SHORTLY.
STEVENS ALSO SAID NEW CONSTITUTION WOULD BE ADOPTED UNDER
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PAGE 02 FREETO 01538 121559Z

PROVISIONS OF DISPUTED SECTION 42 OF THE CONSTITUTION (AMEND-
MENT) (NO. 2) ACT, 1971. THIS SECTION PROVIDES THAT A BILL
ENACTING A NEW CONSTITUTION SHALL BECOME LAW IF IT IS PASSED
BY TWO-THIRDS OF ALL THE MEMBERS OF PARLIAMENT AND THEN
APPROVED IN A NATIONAL REFERENDUM BY NOT LESS THAN ONE-HALF
OF ALL PERSONS ENTITLED TO VOTE OR BY TWO-THIRDS OF ALL VOTES
VALIDLY CAST AT THE REFERENDUM. SECTION 34 OF THE CONSTITUTION,

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

HOWEVER, SPECIFIES THAT NO CHANGES TO THE ENTRENCHED ARTICLES MAY BE MADE UNLESS TWO-THIRDS OF ALL THE MEMBERS OF PARLIAMENT APPROVE, PARLIAMENT IS THEN ADJOURNED AND A NEW PARLIAMENT ELECTED, AND TWO-THIRDS OF THE NEW PARLIAMENT ALSO PASS THE AMENDMENT.

2. SUBSEQUENTLY, JUSU-SHERIFF, LEADER OF THE OPPOSITION CALLED ON ME MAY 10 TO DISCUSS ANOTHER MATTER. I ASKED SHERIFF IF HE HAD HEARD RUMORS OF A NEW CONSTITUTION BEING PRESENTED TO PARLIAMENT AND WHETHER HE MAINTAINED OPPOSITION TO THE USE OF SECTION 42 AS A VEHICLE FOR APPROVING A NEW CONSTITUTION. SHERIFF SAID HE EXPECTED A NEW CONSTITUTION TO BE PRESENTED, BUT WAS UNCERTAIN OF THE TIMING. HE SAID THAT A NEW CONSTITUTION ESTABLISHING A ONE-PARTY STATE WOULD HAVE TO ABRIDGE THE ENTRENCHED ARTICLES GOVERNING FREEDOM OF ASSOCIATION AND THEREFORE SECTION 34 AND NOT SECTION 42 WAS THE ONLY LEGAL ROUTE TO INTRODUCE A NEW CONSTITUTION. HOWEVER, HE ADMITTED THAT WHILE THESE ARE THE LEGALITIES AS HE SEES THEM, THE PRESENT POLITICAL REALITIES MAY VERY WELL LEAD TO ADOPTION OF A NEW CONSTITUTION UNDER SECTION 42. HE ALSO SAID SLPP HAD SPENT LE 40,000 CONTESTING THE 1977 ELECTIONS AND WAS BROKE.

3. I TOLD SHERIFF I HAD HEARD A RUMOR THAT HE WAS IN LINE TO GET A MAJOR POSITION IN A ONE-PARTY GOVERNMENT. HE LAUGHED AND SAID HE HAD HEARD A RUMOR HE WAS TO BECOME VICE PRESIDENT.
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HE SAID THE RUMOR WAS NONSENSE AND HE KNEW OF NO MAJOR POLITICAL FIGURE IN THE SLPP WHO WAS BEING OFFERED A MAJOR POSITION.

4. DURING A CALL ON ACTING FOREIGN MINISTER HARRY WILLIAMS, MAY 11, I ASKED IF THE RUMOR OF A NEW CONSTITUTION WAS TRUE. WILLIAMS CONFIRMED THAT IT WAS TRUE AND THAT A SPECIAL CABINET SUB-COMMITTEE ABULD MEET FRIDAY, MAY 12, TO DISCUSS THE NEW CONSTITUTION. HE SAID HE WAS UNCERTAIN WHEN IT WOULD BE PRESENTED TO PARLIAMENT BUT THOUGHT IT WOULD BE SOON.

5. EMBASSY COMMENT: WE HAVE LEARNED THAT PARLIAMENT IS BEING RECONVENED ON MONDAY, MAY 15. HOWEVER, IN THE ABSENCE OF A WRITTEN DRAFT OF THE PROPOSED CONSTITUTION WE ARE UNABLE TO COMMENT FURTHER AT THIS TIME. END EMBASSY COMMENT.
NORTH

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

NNN

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Message Attributes

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EO Systematic Review
20 Mar 2014
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